

IN THE UNITED STATE BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA

FLOORING SOLUTIONS, INC.	)	
	)	CHAPTER 7
	)	Bankruptcy
	)	Case No. 16-12380-BFK
	)	
DEBTOR.	)	

**RESPONSE TO APPLICATION TO EMPLOY COUNSEL TO THE TRUSTEE,**  
**DOCKET No. 64**

COMES NOW the Debtor, Flooring Solutions, Inc., (“Debtor” or “FSI”) by and through counsel, and hereby responds to the Trustee’s application to employ counsel filed July 29, 2016. More specifically, Debtor objects as follows:

1. The Trustee seeks to employ attorney Kevin M. O’Donnell (“O’Donnell”) and his firm, Henry & O’Donnell, P.C.
2. As acknowledged in O’Donnell’s verified statement, he has represented creditor Sonabank in this matter.
3. To date, O’Donnell has not sought to withdraw from such representation.
4. On June 15, 2016, O’Donnell, filed a Motion for Relief from the Automatic Stay on behalf of Sonabank.
5. O’Donnell’s request was granted on or about July 19, 2016 because the Trustee endorsed an agreed order to that effect.
6. On July 28, 2016, Attorney Roy Terry, counsel for the court appointed receiver, Tim Dudley, represented to the Court that he believed Sonabank (while represented by O’Donnell) and/or Mr. Dudley had seized Debtor’s bank account and depleted the assets in the account.

7. The funds in Debtor's bank account were depleted despite Sonabank's loan documents specifically excluding a lien on certain assets.
8. At the hearing on July 28, 2016, the Honorable Judge Kenney acknowledged that there may be recourse against Sonabank and/or Mr. Dudley for improperly depleting Debtor's bank account to the detriment of other creditors.
9. Therefore, Debtor vehemently objects to O'Donnell serving as counsel for the Trustee as he and his firm are not disinterested and Debtor submits that this renders O'Donnell not qualified to serve as counsel for the Trustee.

WHEREFORE, Debtor prays this Court deny Trustee's Application to Employ Counsel and grant such other and further relief as this Honorable Court deems just and proper.

Respectfully Submitted,

Flooring Solutions, Inc.  
By Counsel

/s/ Whitney Lawrimore Hughes

Whitney Lawrimore Hughes, VSB No.82331  
Westlake Legal Group  
46175 Westlake Drive  
Potomac Falls, VA 20165  
Phone: 703-406-7616  
Facsimile : 703-444-9498  
Email: wlawrimore@westlakelegal.com  
*Counsel to Debtor*

**CERTIFICATE OF SERVICE**

I hereby certify that this 2nd day of August, 2016, a copy of the foregoing was served via first class mail, postage prepaid to the Trustee, and via the ECF system to the same.

/s/ Whitney Lawrimore Hughes  
Whitney Lawrimore Hughes